

W. A. DAY HEADS  
THE EQUITABLE LIFEDirectors, Attacking J. P. Morgan,  
Ignore Protest of  
Trustees of Stock.

## WALL ST. SEES RYAN MOVE

Thinks He Has Regained Control  
Sold to Mr. Morgan and Can  
Keep It by Directing  
Mutualization Plan.

The steam roller went over J. P. Morgan, Superintendent Hotchkiss of the State Insurance Department, the policyholders of the Equitable Life Assurance Society and the trustees of the society yesterday, when W. A. Day, acting president, was elected president of the society to succeed Paul Morton, with a good prospect of a life job.

The Tribune told exclusively on Wednesday that a plan was on foot for the directors to elect Mr. Day at a snap election at their meeting yesterday.

The two stories on the plan to elect Mr. Day printed in The Tribune on Wednesday and yesterday were read at the meeting and referred to six times in the speeches of the directors. The meeting was marked by much recrimination and bitter attacks on J. P. Morgan were made by a number of directors.

There were only three votes against Mr. Day. They were cast by Gage E. Tarbell, Charles E. Littlefield and E. H. Overbridge. There was no opposition candidate. Arguments against the election of a president before mutualization were made by the trustees, ex-Judge Morgan J. O'Brien, Lewis Cass Ledyard and George W. Perkins, and, according to Thomas Spratt, one of the directors, by Insurance Superintendent Hotchkiss.

Within an hour of his election Mr. Day was in conference with Paul D. Cravath, Thomas F. Ryan's legal adviser. It was said yesterday at the Equitable offices that Mr. Morgan had never seen Mr. Day, and did not know him personally.

Mr. Ryan bought the controlling interest in the Equitable from James Hazen Hyde in June, 1905, for \$2,500,000 and sold it to J. P. Morgan in December, 1909, for \$3,000,000.

Before Mr. Morgan sailed for the Mediterranean on January 25 he said that the election of a president of the Equitable to fill the vacancy caused by the death of Paul Morton would be deferred until the mutualization of the company was accomplished, and that the two would be coincident.

At the time Mr. Morgan sailed the special mutualization committee of the Equitable, composed of Thomas Spratt, of Ogdenburg, chairman; Frank S. Withers, John D. Kernan, Robert Mather and Joy Morton, were at work on the mutualization plans. Three weeks ago the committee stopped work.

For the last two weeks Paul D. Cravath and Mr. Day have been in frequent conference. The nominating committee to select a candidate for president was appointed by Mr. Day and consisted of Thomas Spratt, Eben B. Thomas and Valentine P. Snyder, known in Wall street as Ryan men.

Directors Known as Ryan Board.

The board of directors of the Equitable is known as a Ryan board. After the election of Mr. Day yesterday the mutualization committee resumed work. The Equitable has \$500,000,000 of assets and 500,000 policyholders, scattered all over the world. With this vast array of policyholders, the officials in power, having all the complicated machinery of an election under their control, can perpetuate their reign or name their own successors.

It is estimated that it would cost not less than \$1,000,000 to organize a campaign against the reigning officials. There would be little hope of even a fair showing against the men in office. It is feared in Wall Street that Mr. Ryan has the Equitable again, with a profit of \$500,000 from Mr. Morgan, and has no objections to a scheme of mutualization that will perpetuate his control.

When Thomas Spratt was asked last night why Mr. Day had been in conference with Paul D. Cravath within an hour of his election, and why he had been in conference with Mr. Cravath so frequently within the last ten days, he replied: "Ever since the beginning of the settlement of the differences between James Hazen Hyde and the policyholders Mr. Cravath has been intimately concerned in the negotiations. It is therefore a most natural thing for Mr. Cravath to be called into consultation."

"It was at my suggestion that Mr. Cravath was consulted, particularly on the question of whether it would be legal to buy the stock even if a law were passed allowing a purchase of a majority of the stock of the company at a very high price and the minority holders at a very low price, as that was one phase of the difficulty confronting the committee on mutualization."

Mr. Spratt was asked then why, if consultations were had so constantly with Mr. Cravath, the mutualization committee had stopped its work three weeks ago.

"We reached the conclusion that we could not bring it about," he said.

Mr. Spratt denied the statements made yesterday in the Equitable offices that Mr. Morgan had never seen Mr. Day, saying, "Mr. Day is known personally to Mr. Morgan. He is not close to Mr. Ryan, and I have it on the highest authority that Mr. Morgan thinks very highly of Mr. Day and makes no objection to him."

"We are not a lot of dummies,"

"We did not elect a president in opposition to J. P. Morgan or the policyholders," Mr. Spratt continued. "This is a very strong board of directors. We are not a lot of dummies. It is not for us to be instructed by the Superintendent of Insurance on what we shall do about running the affairs of our society and electing our officers."

"The reason the board determined to

## WOMAN DRAGGED BY TRAIN

B. R. T. Guard Shuts Gate on  
Dress at Brooklyn Bridge.

During the height of the rush to Brooklyn last evening, Miss Barbara Kehoe, of No. 430 Spencer street, was dragged half the length of the Brooklyn Bridge platform by a Cypress Hill train of the Brooklyn Rapid Transit. The guard of the train, shutting the gates in the faces of scores of struggling men and women, had locked a part of Miss Kehoe's dress in the gate catch.

The woman's screams, together with those of frightened spectators on the platform, caused the guard to yank his bellcord for a stop. It took the signal several seconds to get to the motorman, and meanwhile Miss Kehoe was being dragged along the platform, knocking over people right and left. She was picked up and taken in the train to the Brooklyn Bridge Police Station A, in Washington street, Brooklyn.

Dr. Robinson, of the Brooklyn Hospital, was sent for. He found the woman was suffering from three broken ribs on her right side and a number of painful contusions of the arms and shoulders. He sent for an ambulance and Miss Kehoe was taken to the hospital.

## HAZERS SHEAR STUDENT

Partially Scalp Him in a Penn-  
sylvania Cemetery.

[By Telegraph to The Tribune.]  
Lewisburg, Penn., April 20.—Clarence W. Waychoff, of Jefferson, Penn., a student in Bucknell University, is in a dangerous condition as a result of hazing, during which the young man was partially scalped by fellow students.

While returning to his boarding house last night Waychoff, according to his story, was pounced upon by half a dozen students and taken to a nearby cemetery, where he was forced to go through all sorts of athletic exercises for the edification of his captors. Finally an attempt was made to cut his hair with a large pair of horse shears. In taking off the hair the hazers took great pieces of the scalp with it. The college authorities are endeavoring to learn the identity of the hazers.

## ELOPES WITH CHAUFFEUR

Banker's Daughter Took Advan-  
tage of Mother's Absence.

Baltimore, April 20.—Miss Margaretta D. Hambleton, daughter of Mrs. Frank S. Hambleton, and Owen Frank Monahan, an expert automobile mechanic for a local automobile company, were privately married here to-day. They started on an automobile tour of the South immediately.

The bride is twenty years old. Her father, the late Frank S. Hambleton, was a prominent banker of Baltimore, and the family is of high social position.

It is understood the bride's family objected strongly to the match. Advantage was taken of the opportunity offered by the absence of Mrs. Hambleton from home to-day. A friend of the bridegroom procured the license and the ceremony was quickly performed at the rectory of the Roman Catholic Church of St. Philip and James.

## A MUCH WEDDED MINISTER

Admits Three Wives and Tells  
Why He Married Them.

Chicago, April 20.—Kurtz Carlson, who says he really is Kurtz Mueller, a Lutheran preacher, pleaded guilty in the municipal court to-day to having three wives living. He was arraigned on complaint of the third wife, whom he described as his "true love." In his story to the court he said he thought that his first marriages "should not be held against him."

These are the three wives, and the reason he married or left them, as given by Mueller:

Wife No. 1, Kate Mazer Mueller, of Sutton, Neb. Married her after a three-day acquaintance because "a deacon of his church said it was not good for a young pastor to remain unmarried, after four years' left her because of her 'simplicity of mind' and his own 'elevated mentality.'" She is the mother of three of his children.

Wife No. 2, Annie Debbok Mueller, of Detroit. She married him for his money; he said, ten months after he left his first wife. After two months she left him; she is the mother of one child.

Wife No. 3, Amelia Fehl Carlson, of Chicago, his "true love." Married her eighteen months ago in Chicago because he loved her.

## GETS \$1,500 FOR HICCUGHS

Woman Proves Car Crash Has Caused  
Daily Attacks for Two Years.

Because she established that she suffered almost constantly from hiccoughs, as the result of a trolley car accident, \$1,500 was awarded a woman as damages by a jury in the Hudson County Court at Jersey City yesterday. Mrs. Sarah Cohen, of Cypress avenue, The Bronx, was the plaintiff; she sued Johnnie the Public Service Corporation and the Millard Construction Company. She was a passenger on a trolley car on the Pavonia avenue line on May 13, 1908, when the car bumped into a dummy engine belonging to the construction company.

Mrs. Cohen testified that since the accident she had been subject daily to attacks of hiccoughs, and produced several physicians to corroborate her. She sued for \$10,000.

## OBJECT TO DR. JOWETT.

Pittsburg Presbyterians Want Ameri-  
can as Moderator of General Assembly.

Pittsburg, April 20.—The executive commission of the Presbyterian General Assembly is discussing one topic to-night, that of a name mentioned to-day for moderator. Members of the New York Presbytery started a boom to-day for the Rev. Dr. J. H. Jowett, pastor of the Fifth Avenue Presbyterian Church, according to an officer of the commission. Because Dr. Jowett has been in the country only a few weeks and is not an American citizen, the question is raised as to his eligibility as head of the Presbyterian Church.

Dr. Jowett was elected by the New York Presbytery a commissioner to the General Assembly, which will meet at Atlantic City on May 18.

Poland Spring House, Poland Spring, Me. The Sunnyside, Poland Spring, Me. The New Mount Kineo House, Moosehead Lake, Kineo, Me. Special Representatives at Poland Water Office, 135 Broadway (bet. 28th and 29th sts.), N. Y. Descriptive Booklets sent on request.

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MADERO GIVES DIAZ  
24 HOURS TO QUITWill Attack Juarez Unless Presi-  
dent Resigns by 3  
o'Clock To-day.

## REJECTS ARMISTICE PLAN

Volunteer Peace Commissioners  
Give Him Message from  
Gomez, but He Only Con-  
sents to Postpone Assault.

El Paso, Tex., April 20.—Unless the federals attack the rebel army, which has threatened to assault Juarez, Francisco I. Madero, jr., the rebel leader, says there will be no assault on Juarez until after 3 o'clock Friday afternoon. If by that time he has not received assurances from Porfirio Diaz that he will retire from the Presidency, Madero declares that Juarez will be attacked at once. "All that the federals want is time to bring up reinforcements," he said to-day when asked if he would consider an armistice.

"I will give Diaz twenty-four hours to resign," he said to a delegation of citizens of El Paso and Mexicans which called on him in his camp in the hills near Juarez and asked him to consider peace terms.

This assertion was also a reply to Gonzales Garza, secretary general of the revolutionary junta, who carried a message from Dr. Gomez in Washington, asking that the attack be delayed.

"Diaz must surrender the Presidency," This, Madero said, was his final reply to all attempts to bring about peace or an armistice.

The volunteer peace commissioners who visited the Provisional President, and rebel commander went under permission from the federals and made the trip in two automobiles bearing white flags.

## Madero States His Ultimatum.

An Associated Press correspondent was in the camp when Madero met them. After the conference Madero dictated the following statement:

The peace commission came unofficially and asked under what terms I would make peace.

I said I would agree, as I have already said to Dr. Gomez, that in the interest of peace I would resign as Provisional President of Mexico, but only if I consider that the will of the people has been satisfied; otherwise the revolution will continue, notwithstanding any peace negotiations.

I know all the people want the retirement of General Diaz and no re-election. For that purpose I will accept as Provisional President any one of the members of the present Cabinet who will call a new election.

In case this condition is agreed upon, we want Juarez to be delivered to us, and then an armistice will be signed.

I will wait until to-morrow evening to hear the result of the peace negotiations, which are being directed by Dr. Vasquez Gomez. If to-morrow night no answer comes I will begin hostilities.

The peace commissioners are Felix Martinez, of El Paso; Esquilbar Obregon and Oscar Branniff, of Mexico City, speaking independently, but for the federal government, and Silvestro Terrazas, of Chihuahua.

## The Peace Conference.

The conference was attended by Madero in person, Colonel José de la Luz Blanco, Lieutenant Colonel Garibaldi, Raoul Madero and Frederic Gonzales Garza, Provisional Secretary of State and head of the Mexican revolutionary junta in El Paso.

Garza had not accompanied the volunteer peace envoys. He crossed the river on foot and rode to Madero's headquarters on a horse sent to the river by the rebels. He first talked across the river to Madero as the rebel chieftain and several of his staff officers rode down this morning early to water their horses and get a look at Juarez through field glasses.

After the volunteer peace commissioners had returned to El Paso Felix Martinez gave out the following statement of their trip:

"I do not want the Presidency," Madero, according to Martinez, said frequently during the conference. "If I am willing to sacrifice everything, wealth, position family name, and even my life, for the cause of Mexico, Diaz ought not to hesitate to sacrifice the position that he has held for thirty years for the cause of his country."

Esquilbar Obregon, who, with Señor Branniff, had gone from Mexico City to Washington to consult Dr. Gomez regarding peace, spoke on behalf of the federal government and agreed to transmit any terms Madero might suggest to the President at Mexico City. They were acting only as private citizens, bent on restoring peace in their native country, they told Madero.

"We have no axe to grind," Obregon said at the conference. "All we want is to stay the bloodshed and destruction of property. The Mexican government has granted all the concessions you (Madero) have asked, and the moral victory, for which all big battles are fought, has already been won. Why cause further suffering and misery among the people that are your people and my people?"

"I am President Diaz's best friend," Oscar Branniff said, "but I am not speaking for him, but for myself alone. I feel sure personally that President Diaz will arrange for an armistice."

## Distrusts Diaz's Promises.

"But Diaz has made similar promises before and has failed to keep them," Madero broke in. "All I care for is to get the bone of contention (Diaz) out of the way. I have said before that I do not want anything. I will do anything, go anywhere, so long as this end is accomplished. That is all I ask."

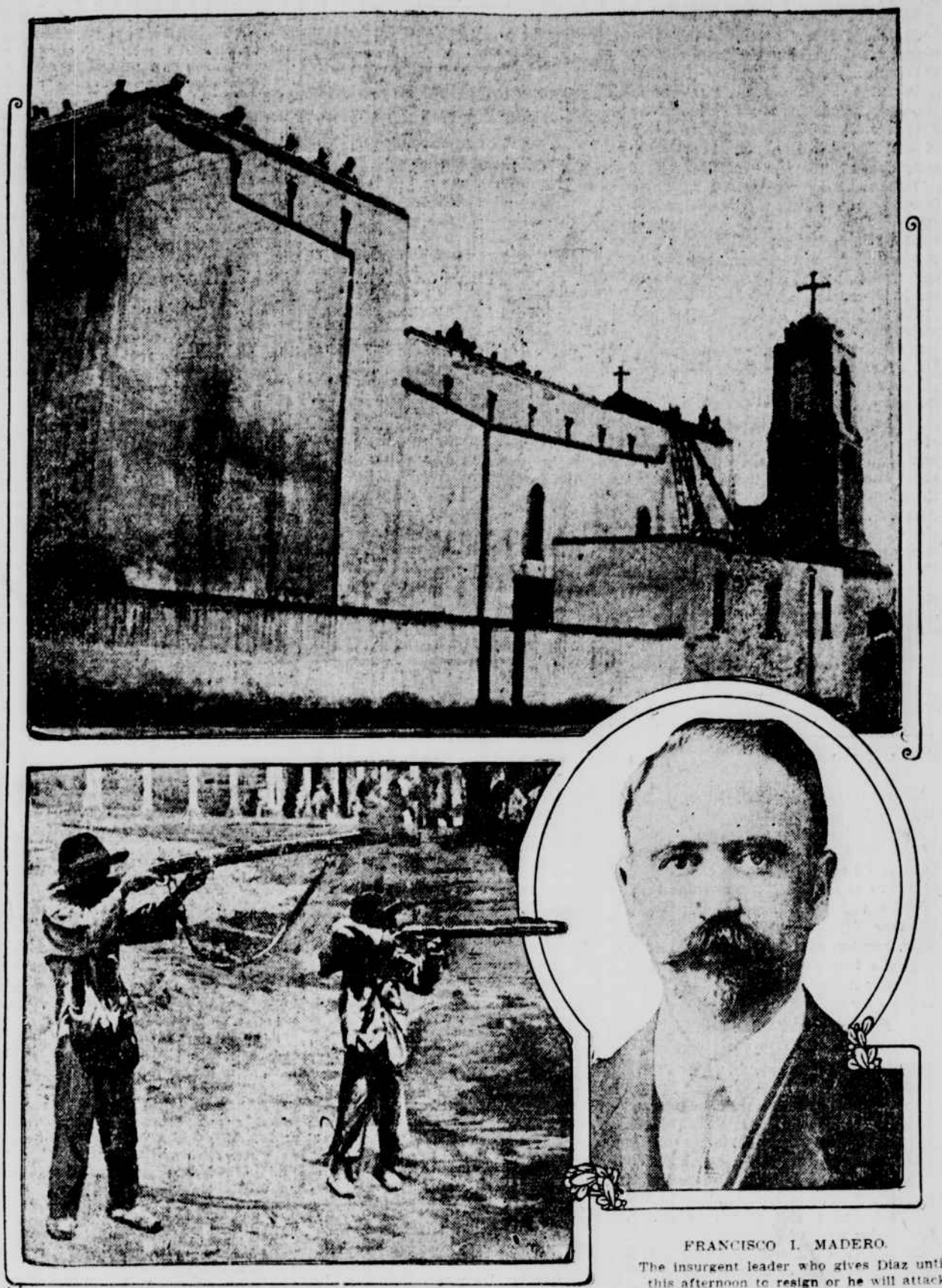
Mr. Martinez pleaded as an American

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## SCENE IN JUAREZ, WHICH MADERO THREATENS TO ATTACK.

Soldiers on the walls of the old Mission, looking for the enemy.

(Photograph copyright by American Press Association.)



TWO JUVENILE INSURGENTS AT PRACTICE.

## ANTI-GAMBLING ACT IN PERIL

Change of Word in Bill, Says  
Hammit, May Upset Law.

Albany, April 20.—The change of a word in Senator McMahon's bill relating to the appointment of special police officers, if enacted, might be made the basis of a court contest on the ground that it in effect repeals the anti-racetrack gambling law.

J. O. Hammit, secretary of the Citizens Union, thinks it was the mistake of a clerk, but he says he called the attention of a member of the Senate Codes Committee to it before the measure was reported favorably by that committee. In the last section of the bill the word "section" is changed to "act" and Mr. Hammit's contention is that this word "act" clearly refers to the penal law itself, which contains the anti-racetrack gambling law.

## ARREST FOR TAKING A SEAT

Drygoods Buyer Accused by a  
Woman of Abusing Her.

Levi Oppenheimer, a drygoods buyer, of No. 359 East 183d street, was a prisoner in the men's night court last night, charged by Miss Minnie Tauber, of No. 2734 Morris avenue, with slitting into a seat tendered her by a young man in a Third Avenue train. Miss Tauber made an additional charge of disorderly conduct, saying that Oppenheimer had assaulted her and used abusive language, but she was concerned principally over her right to the seat.

Oppenheimer said he was returning home after a hard day's work as a juror in a Supreme Court panel. He had dropped into a seat at 149th street and Miss Tauber had begun a wordy attack. She had chased him through the car, and had continued her verbal attack until the train had reached 183d street, where Patrolman Lay had arrested him on her complaint.

The magistrate adjourned the case for hearing in the Morrisania court to-morrow and commented that present day women never even thanked a man who gave up a seat in a car to them.

"Of course, this does not apply to you," he told Miss Tauber; "I mean it in a general sense."

## GOVERNOR NAMES DEAD MAN

William I. Buchanan Appointed Dele-  
gate to Peace Congress at Baltimore.

Albany, April 20.—Governor Dix to-day appointed a dead man when he named William I. Buchanan, of Buffalo, a delegate to represent New York State at the third national peace conference at Baltimore May 3 to 5. Mr. Buchanan died in London about a year ago, while on a diplomatic mission for the State Department.

The other delegates appointed to-day are Andrew Carnegie, Chancellor M. Depew, Hamilton Holt, Thomas M. Mulry, Joseph Pulitzer, Samuel Gompers, and Isidor Straus, of New York; Simon W. Rosendale, of Albany, and Thomas R. Proctor, of Utica.

## DIRECT PRIMARIES COSTLY

So Illinois Legislators Vote to Raise  
Their Own Salaries.

Springfield, Ill., April 20.—The House Appropriations Committee voted, 24 to 3, yesterday to increase the salaries of members of the General Assembly from \$2,000 each biennial session to \$3,500.

The principal reason advanced by the opponents of higher salaries was that the direct primaries had caused a heavy increase in campaign expenses.

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GRAND JURY NOW  
TAKES UP HYDECarnegie Trust Inquiry Changes  
After More Cummins and  
Reichmann Indictments.

## WITNESSES MENTION MAYOR

Alleged Promise of Tennessee's  
Aid in Presidential Race Said  
to Have Been Behind  
City Deposits.

After finding seven more indictments against William J. Cummins and four more against Joseph B. Reichmann, the grand jury entered yesterday a new phase of its investigation of the Carnegie Trust case.

Hitherto witnesses have been subpoenaed to appear before the grand jury in a criminal prosecution of the People of the State of New York against William J. Cummins, or "against Joseph B. Reichmann." Yesterday, after these two men had pleaded not guilty to the new indictments, they submitted in their turn to service in a criminal prosecution of the People of the State of New York against Charles H. Hyde.

And for the first time, too, so far as known, Mayor Gaynor's name was mentioned before the grand jury for the purposes of this investigation. M. W. Hutchins, chief examiner of the State Banking Department, was a witness at the time and was testifying, it is said, concerning a visit he paid to the Carnegie Trust Company last summer to ascertain just what guarantees Cummins had that the city deposits in the institution, then amounting to little short of \$1,000,000, would not be withdrawn.

Mr. Hutchins refused to discuss his testimony, but it was learned that in August, 1910, when the City Chamberlain was in Europe, he was instructed by Superintendent Cheney to find out just how much city money the Carnegie Trust Company held and what assurances it had of continuing to hold it.

## Knew Capital Was Impaired.

The Banking Department knew at the time that the reserve and capital of the company had been impaired and that it was in a very weak condition, and Mr. Cheney feared that a sudden loss of city deposits would result in a smash-up. Mr. Cummins, in conference with Mr. Hutchins, said in substance, it is reported:

"Have no fear, Mr. Hutchins, that the city deposits will be taken out of the trust company. I have powerful friends at court. Not only has Chamberlain Hyde assured me that our city money would not be disturbed, but I am a very close friend of Mayor Gaynor; we live near each other on Long Island. Why, this very morning I brought the Mayor's son, Rufus, to town with me in my automobile."

At this point, according to Mr. Hutchins' testimony, a young man passed through the room where he and Cummins were conferring, and Mr. Cummins exclaimed, in effect, "There's Rufus Gaynor now."

Both Mr. Hutchins and Controller Prendergast, who also testified before the grand jury yesterday, were reported as saying they had heard that one reason why Cummins and Hyde were intimate friends was a promise Cummins had given to swing to Gaynor's standard the Tennessee delegates to the National Democratic Convention of 1912.

The grand jury also heard, in corroboration of another part of Mr. Hutchins' testimony, that Chamberlain Hyde when he was in Europe had communicated with Deputy Chamberlain Walsh and that Walsh had said he had positive orders not to disturb the Carnegie Trust's city deposit.

## Denial by Mayor's Son.

Mayor Gaynor refused to comment on all this testimony, but Stephen C. Baldwin, counsel for Cummins and Reichmann, said he didn't believe there was a word of truth in it and that he could state positively that Mayor Gaynor had never met William J. Cummins. Rufus Gaynor at first declined to talk on the subject, but later denied absolutely that he had ever known Cummins or had been in the offices of the Carnegie Trust Company.

Mr. Hutchins also told the grand jury, it was learned, that he had made a number of examinations of the Carnegie Trust Company and had reported to the State Banking Department that the trust company was in a bad condition and should be closed. The directors of the company, however, kept assuring the department, he said, that Andrew Carnegie was coming to the institution's aid again, and the hand of fate was stayed, the department wishing to save the depositors if possible.

On October 2 of last year, for example, the Carnegie Trust Company made a loan of \$152,000 to the Platt Iron Works and the Tennessee Packing and Stockyards Company. The next day the Banking Department sent for Joseph T. Howell, the new president of the trust company, and asked him what business his concern had lending this money when in such a weak condition. Mr. Howell, agreed, it is said, that the loan should not have been made under the circumstances and promised to investigate the transaction, having no immediate knowledge of it, since he had been president only a day. Nothing could be done about it, however, and when the Banking Department insisted that some remedy be applied the assurance of the ironmaster's support was given.

## New Indictments Reported.

The trial of L. J. Field in the Windsor Trust-Heine loan case was in full swing before Justice Davis in the Criminal Branch of the Supreme Court when the grand jury filed in at 4:25 o'clock to report the indictments against Cummins and Reichmann. The two men, summoned to court by the District Attorney, had been sitting in the rear of the courtroom for some time with Mr. Baldwin, their counsel. They followed the grand

FRANCISCO I. MADERO.

The insurgent leader who gives Diaz until this afternoon to resign or he will attack Juarez.

TROUBLE IMPOSSIBLE,  
SAYS SENOR DE LA BARRADeclares Note on Border Fight-  
ing Entirely Friendly to  
United States.

## ONE FEATURE CANCELLED

Withdraws Portion Relating to  
Captain Gajot's Crossing Line  
at Agua Prieta-Mexico's Good  
Will Emphatically Affirmed.

[From a Special Correspondent of The Tribune.]  
Mexico City, April 20.—Señor de la Barra to-night told the Tribune correspondent that he absolutely refused to consider the possibility that any portion of his note to Ambassador Wilson could lead to a grave diplomatic situation between the United States and the Mexican government.

"You may quote me as emphatically as possible," said the minister. "What has been printed purporting to be portions of my note I cannot say, because I am informed only as to the fact that such publications have been made in the United States and received serious consideration in Washington. The information is that the portions of my note on which so much stress is said to be laid were not included in the digest of the note which was cabled by the American Ambassador to his government."

## Willing to Make Notes Public.

"Is it not reasonable to presume that if this part of the note had been so portentous it would have been transmitted immediately? If the American government consents, I am willing that the full contents of its note to the Mexican Foreign Office and my government's reply shall be made public. Oftentimes when a sentence or a paragraph is considered without its context one may draw quite erroneous conclusions."

"I desire most earnestly to say, as I said before, that nothing is now pending between the two governments to disturb the friendly relations of Mexico and the United States, and I can conceive of no condition arising to create grave diplomatic complications. You may state that as strongly as you wish."

The minister would not comment on the belief said to be current in Washington official circles that President Diaz desires to force American intervention.

"Such reports are too wickedly mendacious to be dignified by a denial," he said.

In all probability Señor de la Barra will ask the consent of President Diaz and the concurrence of the United States to publish the notes.

As the result of a call made on Señor de la Barra to-night by Ambassador Wilson at the former's request, the minister later dispatched a note to the American Embassy, modifying and virtually cancelling one paragraph in his reply to the United States note to Mexico in relation to the Agua Prieta affair.

Señor de la Barra told Mr. Wilson there was an earnest desire on the part

## NAVAL MENACE TO CANADA?

U. S. Training Ships on Lakes  
Alarm "London Post."

London, April 21.—"The Morning Post," in an editorial on the work of the coming imperial conference, suggests that the committee on imperial defence take the opportunity to discuss how to meet the American naval menace on the Great Lakes. "The Post" declares that it does not matter that these vessels are called training ships; their presence is a violation of the Rush-Bagot treaty and a standing menace to Canadian independence. It would be better for the British standpoint, says the paper, to let the Americans denounce the treaty if they do not wish to abide by its terms.

Finally, "The Post" proposes the postponement of the Lord Mayor's meeting in support of the arbitration treaty until the American government has given an earnest of its good faith by dismantling its navy on the Great Lakes, in accordance with the existing peace treaty.

## THIS JURY BOMBARDED

Target for Thought Waves, It Is  
Distinctly Uneasy.

[By Telegraph to The Tribune.]  
St. Louis, April 20.—The efficacy of the thought wave as a means of deciding the outcome of a lawsuit was on trial in Judge Miller's court here to-day. The case was that of Oscar Evertz, principal of a school of mental suggestion and a practitioner of "soul message methods," charged with violating the medical registration act.

"Dr. Evertz had asked his friends to concentrate their minds on the thought of acquittal and to protect that thought right up against the sensoriums of the twelve good men and true who were to try him."

Presumably thought messages were arriving from all over St. Louis, but the short range and contracted thought bombardment was directed from the spectators' seats, where two rows of Evertz's followers, mostly women, sat throughout a long session and glared at the jury.

Whether it was the thought, saturated air or the length of the legal preliminaries that affected the jury it is impossible to say, but they were distinctly uneasy for the first two hours. The case will be finished to-morrow.

## WOULD GO BACK TO JAIL

Toth, Who Served 20 Years for  
Another's Crime, Ill and Poor.

[By Telegraph to The Tribune.]  
Pittsburg, April 30.—Discouraged because he is not able physically to perform manual labor, "Andy" Toth, who a month ago was pardoned from the penitentiary after he had served twenty years of a life sentence for a crime he did not commit, will apply to Warden John Francis to-morrow morning to return to the Western Penitentiary, there to spend the remainder of his life.

When Toth was released from the penitentiary reports had it that Andrew Carnegie, having been touched by the sad story of Toth's misfortune, would pension him. Friends in Pittsburg also expressed their willingness to help him. Up to date he has received only a \$48 subscription. His health is rapidly failing, and physicians say that hard work would kill him. Toth's four sons here are barely able to support their own families.

GREAT BEAR SPRING WATER.  
50c per case of 6 glass stoppered bottles.  
—Adv.

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